

Application No.: 10/773849

Docket No.: CTW-028

REMARKS

Applicants amend claims 1, 3, and 4, and cancel claims 2, and 5-13. Hence, claims 1, 3, and 4 are pending, of which claim 1 is independent. Applicants note with appreciation that the Examiner deems claim 5 to recite patentable subject matter. Applicants incorporate the limitation of claim 5 into amended claim 1. Applicants respectfully submit that the pending claims define over the art of record.

Rejection of Claims under 35 U.S.C. §102

The Examiner rejects claims 1, 2, and 13 under 35 U.S.C. §102(b) as being anticipated by United States Patent Publication No. 2003/0177645 to Flury et al. (hereafter "Flury"). Claims 2 and 13 are canceled, hence the rejection is moot. Applicants respectfully submit that the Flury reference does not disclose an electronic power tool comprising a light source capable of emitting light or an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component as required by independent claim 1.

The Flury reference discloses a rescue saw tool with a removable saw blade that has a luminescent layer. See page 3, paragraph 38. The saw blade is stored in a lighted location so that the luminescent layer on the saw blade will be selfluminous in a low-light or pitch black environment. See page 3, paragraph 37. However, the Flury reference does not disclose a light source capable of emitting light or an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component as required by independent claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claim 1.

Rejection of Claims under 35 U.S.C. §103

The Examiner maintains the rejection of claims 1, 2, 6, and 8-11 under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent Publication No. 2001-138269 to Hayakawa et al. (hereafter "Hayakawa") in view of United States Patent No. 6,502,949 to Horiyama et al. (hereafter "Horiyama"). The Examiner also maintains the rejection of claims 1-4 and 6-12 under 35 U.S.C. §103(a) as being unpatentable over the Horiyama reference in view of the Hayakawa

Application No.: 10/773849

Docket No.: CTW-028

reference. Claims 2, and 6-12 are canceled, hence the rejections are moot. Applicants respectfully submit that the combination of the Horiyama reference and the Hayakawa reference do not teach or suggest an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component, as required by independent claim 1.

The Horiyama Reference

The Horiyama reference teaches an adapter for an electric power tool where the adaptor includes a light that has a flexible stem so that the light can be orientated in a desired angle relative to the adaptor. However, the Horiyama reference does not teach or suggest an annular selfluminous component or an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component, as required by independent claim 1.

The Hayakawa Reference

The Hayakawa reference teaches an electric power tool that is equipped with a selfluminous component. However, the Hayakawa reference does not teach or suggest a light source capable or emitting light or an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component, as required by independent claim 1.

Accordingly, the combination of the Horiyama reference and the Hayakawa reference fail to teach or suggest an annular groove provided in the front end of the gear housing for removably receiving the annular selfluminous component, as required by independent claim 1. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of independent claim 1.

Applicants note that the dependent claims 3 and 4 also recite separate patentable subject matter. As such, for this and the reasons set forth above, Applicants respectfully submit that the dependent claims also define over the art of record.

Application No.: 10/773849

Docket No.: CTW-028

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants submit herewith a petition for one-month extension of time. Applicants believe no other fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. CTW-028 from which the undersigned is authorized to draw.

Dated: February 16, 2005

Respectfully submitted,

By 
Anthony A. Laurentano
Registration No. 38,220
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicant